



EXPRESS MAIL MAILING NO. EV173088315US

09-12-02

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PATENT
Attorney Docket No. ASC-030

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Fitzgerald

SERIAL NUMBER: 09/761,497

ART UNIT: 2818

FILING DATE: January 16, 2001

EXAMINER: Nguyen, Thinh T.

TITLE: Low Threading Dislocation Density Relaxed Mismatched Epilayers without High Temperature Growth

BOX ISSUE FEE

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF ISSUE FEE AND FORMAL DRAWINGS

In response to the NOTICE OF ALLOWANCE AND ISSUE FEE DUE mailed on June 13, 2002, attached please find:

- (a) Issue Fee Transmittal (Form PTOL-85B) (in duplicate); and
- (b) a check in the amount of \$1580.00 for payment of Issue Fee and Publication Fee.

In response to the NOTICE OF ALLOWABILITY mailed on June 13, 2002 and NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW mailed on February 7, 2002, attached please find

- (a) the formal drawings for this application - Number of Sheets 3 - three;
- (b) a copy of the NOTICE OF ALLOWABILITY; and
- (c) a copy of the NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW.


The originally filed informal drawings have been corrected to comply with the enclosed Notice of Draftsperson's Patent Drawing Review. Applicant submits that no new matter is added and respectfully requests that the proposed formal drawings be considered and entered.

Respectfully submitted,

Date: September 11, 2002
Reg. No. 50,773

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06-02

09/76/497

NOTICE OF DRAFTSPERSON'S
PATENT DRAWING REVIEW

EXPRESS MAIL MAILING LABEL

NO. EV173088315US

The drawing(s) filed (insert date) 11/16/01

A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawing must be submitted according to the instructions on the back of this notice.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings:
Black ink. Color.
Color drawings are not acceptable until petition is granted. Fig(s) _____
Pencil and non black ink not permitted. Fig(s) _____
2. PHOTOGRAPHS. 37 CFR 1.84(b)
1 full-tone set is required. Fig(s) _____
Photographs may not be mounted. 37 CFR 1.84(e)
Poor quality (half-tone). Fig(s) _____
3. TYPE OF PAPER. 37 CFR 1.84(e)
Paper not flexible, strong, white, and durable. Fig(s) _____
Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) _____
Mylar, vellum paper is not acceptable (too thin). Fig(s) _____
4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:
21.0 cm by 29.7 cm (DIN size A4)
21.6 cm by 27.9 cm (8 1/2 x 11 inches)
All drawing sheets not the same size. Sheet(s) _____
Drawing sheets not an acceptable size. Fig(s) _____
5. MARGINS. 37 CFR 1.84(g): Acceptable margins:
Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm
SIZE: A4 Size
Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm
SIZE: 8 1/2 x 11
Margins not acceptable. Fig(s) _____
Top (T) _____ Left (L) _____
Right (R) _____ Bottom (B) _____
6. VIEWS. 37 CFR 1.84(h)
REMINDER: Specification may require revision to correspond to drawing changes.
Partial views. 37 CFR 1.84(h)(2)
Brackets needed to show figure as one entity. Fig(s) _____
Views not labeled separately or properly. Fig(s) _____
Enlarged view not labeled separately or properly. Fig(s) _____
7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)
Hatching not indicated for sectional portions of an object. Fig(s) _____
Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____
8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)
Words do not appear on a horizontal, left-to-right fashion, when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____
9. SCALE. 37 CFR 1.84(k)
Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) _____
10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(i)
Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) _____
11. SHADING. 37 CFR 1.84(m)
Solid black areas pale. Fig(s) _____
Solid black shading not permitted. Fig(s) _____
Shade lines, pale, rough and blurred. Fig(s) _____
12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)
Numbers and reference characters not plain and legible. Fig(s) 1A-1C
Figure legends are poor. Fig(s) _____
Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____
English alphabet not used. 37 CFR 1.84(p)(2) Figs _____
Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3) Fig(s) _____
13. LEAD LINES. 37 CFR 1.84(q)
Lead lines cross each other. Fig(s) _____
Lead lines missing. Fig(s) _____
14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(i)
Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Sheet(s) _____
15. NUMBERING OF VIEWS. 37 CFR 1.84(u)
Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____
16. CORRECTIONS. 37 CFR 1.84(w)
Corrections not made from prior PTO-948 dated _____
17. DESIGN DRAWINGS. 37 CFR 1.152
Surface shading shown not appropriate. Fig(s) _____
Solid black shading not used for color contrast. Fig(s) _____

COMMENTS

- Descriptive matter of figs 1A-1C 3/4

REVIEWER

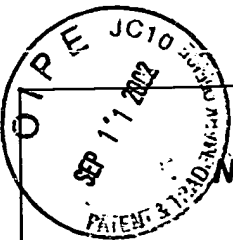
DATE

11/31/02

TELEPHONE NO.

308-0011

ATTACHMENT TO PAPER NO.



Notice of Allowability

Application No.

09/761,497

Examiner

Thanh T Nguyen

Applicant(s)

FITZGERALD, EUGENE A.

Art Unit

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

EXPRESS MAIL MAILING LABEL

NO. EV173088315US

1. ☒ This communication is responsive to 5/21/2002.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. 6.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

David Nelms
Supervisory Patent Examiner
Technology Center 2800